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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/986,403	11/08/2001	Kazutaka Goami	Q67185	5238

7590

06/01/2005

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EXAMINER

TRAN, THANG V

ART UNIT

PAPER NUMBER

2653

DATE MAILED: 06/01/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/986,403

Applicant(s)

GOAMI ET AL.

Examiner

Thang V. Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 13 December 2004.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-10 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☒ Claim(s) 9 and 10 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☒ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

The amendment dated 12/13/04 has been considered with the following results:

***Claim Rejections - 35 USC § 102***

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-8 are rejected under 35 U.S.C. 102(e) as being anticipated by Santo et al. (6,344,936).

Santo et al., according to Figs. 1-5, discloses an objective lens driving apparatus comprising all features of the instant claimed invention as interpreted below.

Regarding claim 1, see Figs. 1 and 2A which shows a lens driving apparatus for a movable body (50) in a focusing and tracking directions comprising: a holder (2) to which focus coil (5a), tracking coil (46-49) and a lens (1) are installed; and magnetic circuit (8a-8d) for applying magnetic flux to the focus coil and tracking coil; and wherein the tracking coil (see Figs. 2A-5B) including two sets (set 46, 47 and set 48, 49) each having upper and lower two coils (set 46, 47 and set 48, 49) arrayed in the focus direction and the two sets are also arrayed in the tracking direction (see coils 46-49 in Fig. 2A, 3A, 3B, 5A or 5B), and the magnetic circuit (8a-8d) applying magnetic fluxes opposite to each other along a jitter direction with respect to the upper two coils (46, 48) and lower two coils (47, 49) without applying (not applying) the

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magnetic fluxes with respect to portions (area) adjacent to the upper and lower coils at least in an initial position thereof (see Fig. 4). Note: Fig. 4 shows a side view of Fig. 3A where coils 46-49 are at an initial position (not moved position) and magnetic circuit (8a-8b) is applying magnetic fluxes opposite to each other along a jitter direction with respect to the upper coil (46) and lower coils (47) without applying the magnetic fluxes with respect to portion (area between coils 46 and 47) adjacent to the upper and lower coils (46 and 47) at least in an initial position thereof (not moved position of coils 46 and 47 as shown in Fig. 3A).

Regarding claim 2, see the rejection applied to claim 1 above and further see Figs. 2A, 2B and 4 which shows the magnetic circuit having magnets (8a-8d) in which a magnetic polarization is performed according to a shape corresponding to a portion except to the portions adjacent to the upper and lower coils (see Fig. 4). Note: Fig. 4 shows the magnetic circuit (8a-8b) is applying magnetic fluxes according the shape corresponding to the portion (portion related to tracking coils 46 and 47) except to the portions (area between coils 46 and 47) adjacent to the upper and lower coils (46 and 47).

Regarding to claims 3 and 4, see Fig. 2A, 3A, 3B, 5A or 5B 2 for the arrangement of the two sets of coils related to the center gravity of a movable body (50) shown in Fig. 1

Regarding claims 3 and 4, see arrangement of coils 46-49 in Figs.

Regarding claims 5 and 6, see a single focusing coil 5a arranged between the two sets of tracking coils and the fluxes opposite to each other applied the upper and lower portions of the focus coil (see Figs. 2A and column 9, lines 8-12).

Regarding claims 7 and 8, see printed coil board 4a, 4b in Fig. 2A, 3A, 3B, 5A and 5B.

***Allowable Subject Matter***

3. Claims 9 and 10 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

4. Claims 9 and 10 are allowable over the prior art of record because the prior art of record, considered in combination or individually, fails to suggest or fairly teach a lens driving apparatus including a combination of all features and their structural arrangement as particularly recited in each of claims 9 and 10.

***Response to Arguments***

In response to Applicant's arguments filed 12/13/04, Applicant's attention is drawn to Fig. 3a and 4 of Santo et al which disclose the use of coils 46-49 are at an initial position (not moved position as shown in Fig. 3A) and magnetic circuit (8a-8b) is applying magnetic fluxes opposite to each other along a jitter direction with respect to the upper coil (46) and lower coils (47) without applying (not applying) the magnetic fluxes with respect to portion (area between coils 46 and 47) adjacent to the upper and lower coils (46 and 47) at least in an initial position thereof (not moved position of coils 46 and 47 as shown in Fig. 3A). Applicant should note that the magnetic fluxes, as clearly shown in Fig. 4, become zero not only at a boundary line, but also at a whole portion (area) between coils 46 and 47. Also, as clearly shown in Fig. 4, the magnetic circuit (8a-8b) is applying magnetic fluxes according the shape corresponding to the portion (portions with respect to tracking coils 46 and 47) except to the portions (area between coils 46 and 47) adjacent to the upper and lower coils (46 and 47) as further recited in claim 2.

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Accordingly, Santo et al does disclose all the features of the claimed invention as clearly pointed out in the rejection above.

5. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

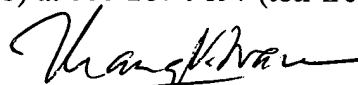
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thang V. Tran whose telephone number is (571) 272-7595. The examiner can normally be reached on M-F 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Korzuch can be reached on (571) 272-7589. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Thang V. Tran  
Primary Examiner  
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